

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:)	Before the Examiner:
Kevin T. Foley et al.)	Michael B. Priddy
)	
Continuation Application of)	Group Art Unit 3732
Serial No. 09/928,949 (filed 08/13/01))	
)	
Filed: January 13, 2004)	Ref. No.: PC444.06/
)	4002-3443
)	
SURGICAL INSTRUMENTATION)	
AND METHOD FOR THE)	
TREATMENT OF THE SPINE)	

INFORMATION DISCLOSURE STATEMENT

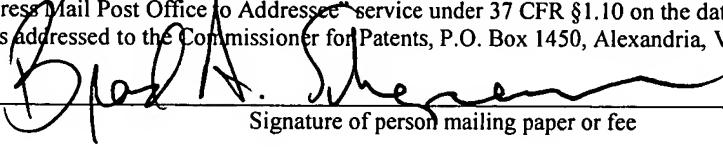
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to the duty of disclosure embodied in 37 C.F.R. § 1.56, Applicants wish to bring to the attention of the Examiner the items of information listed on the enclosed Information Disclosure Citation form. Copies of the U.S. patents and/or U.S. patent application publications listed in this IDS form are not being provided herewith since the requirements for submitting such documents under 37 CFR 1.98 (a)(2)(i) have been waived with regard to applications filed or nationalized subsequent to June 30, 2003.

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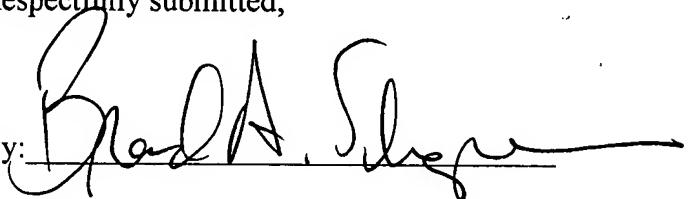

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The filing of this Information Disclosure Statement (IDS) shall not be construed as an admission that the information cited is or is considered to be prior art or material to patentability as defined in § 1.56(b).

This Statement is being submitted under 37 CFR 1.97(b) before the occurrence of one or more of the following: (a) receipt of a First Office Action on the merits, (b) passage of three (3) months from the application filing date, or passage of three (3) months from the date entry of the national stage. Accordingly, it is believed that no fee is due. However, should any fee be required, please charge such fee to Deposit Account No. 23-3030, but not to include any payment of issue fees.

Respectfully submitted,

By:



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INFORMATION DISCLOSURE CITATION (Use several sheets if necessary)			Atty. Docket No. 4002-3443	Serial No. New
			Applicant Kevin T. Foley et al.	
Page 1 of 2			Filing Date January 13, 2004	Group Unknown

U.S. PATENT DOCUMENTS

*Examiner Initial		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	Filing Date If appropriate
	1	817,973	4/17/06	Hausmann	600	224	
	2	4,204,531	5/27/80	Aginsky	128	92	
	3	4,854,312	8/8/89	Raftopoulos et al.	128	92	
	4	4,995,868	2/26/91	Brazier	604	105	
	5	5,059,193	10/22/91	Kuslich	606	61	
	6	5,074,871	12/24/91	Groshong	606	170	
	7	5,108,404	4/28/92	Scholten et al.	606	94	
	8	5,171,278	12/15/92	Pisharodi	623	17	
	9	5,390,683	2/21/95	Pisharodi	128	898	
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	11	5,423,850	6/13/95	Berger	606	192	
	12	5,480,400	1/2/96	Berger	606	60	
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FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Translation	
							Yes	No

Examiner Date Considered

*Examiner: initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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